

Issued: April 22, 2016

**TOWN OF WEST HARTFORD
ZONING BOARD OF APPEALS
WEDNESDAY, APRIL 20, 2016
MINUTES**

ROLL CALL: 7:00 PM

ATTENDANCE: Commissioners: Tom Foley, Angelo DiMatteo; Todd Doyle, Jared Grise and Brian Pudlik, ZEO and Secretary to ZBA
ABSENT: Chair: Lisa Sadinsky; Vice-Chair: Josh Smilowitz; Commissioner Don Neville; Alternate: Michael Johnson

The Zoning Board of Appeals met in the Legislative Chamber, Room 314, 50 South Main Street, West Hartford, on Wednesday, April 20, 2016, at 7:00 p.m., to hear and act on the following petitions:

#07-16 **2512 Albany Avenue** – Petition of City Enterprises, LLC. requesting a variance to Section 177-20 (D) Obstructions in Yards. Requesting a vertical expansion of the previously approved gas station canopy under variance #15-12. The approved canopy was proposed with a flat roof, the applicant is now proposing a canopy with a sloped roof thereby increasing its height from 18 feet to 19'-10" per plans on file. **BG Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Doyle made a motion to grant the petition; second by Commissioner Grise. In reaching its decision, the Board found the following conditions to exist:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.
2. Variance request is minor and will not adversely impact neighboring properties.
3. The proposed canopy is the same footprint as the one originally approved as petition #15-12

VOTE: 4-0; Voting in favor were Commissioners: Foley, Grise, DiMatteo (seated for Neville) and Doyle (seated for Sadinsky)

Opposed- 0

Petition unanimously approved.



TOWN OF WEST HARTFORD

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#08-16 449 New Park Avenue – Petition of M. Camillo requesting location approval for a Used Car Dealers/Repairers License for a period of one (1) per plans on file. BG Zone

At the regular meeting of the Zoning Board of Appeals, the following action was taken:

Commissioner Grise made a motion to grant the petition; second by Commissioner DiMatteo. In reaching its decision, the Board found the following conditions to exist:

1. This approval is granted for a period of (3) three years on the basis that the applicant has operated another location in West Hartford for many years.
2. The hours of operation shall be:
 7 Days per Week 8:00a.m. – 5:00a.m.
3. The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.
4. The premises shall be maintained in conformance with Site Plan on file with the Planning and Zoning office

VOTE: 4-0; Voting in favor were Commissioners: Foley, Grise, DiMatteo (seated for Neville) and Doyle (seated for Sadinsky)

Opposed- 0

Petition unanimously approved.

#09-16 43 Soby Drive - Petition of J. Kaufman requesting a variance to Section 177-20(E) Obstructions on Yards. Requesting a +/-4' variances to the 40' rear yard setback and 15' side yard setback for the construction of new attached garage and mudroom per plans on file. **R-20 Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Doyle made a motion to grant the petition; second by Commissioner Grise. In reaching its decision, the Board found the following conditions to exist:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.
2. Variance request is minor and will not adversely impact neighboring properties.
3. The position of the home on the lot as well as the location of the existing septic system necessitates pushing the garage into the required setbacks.

VOTE: 4-0; Voting in favor were Commissioners: Foley, Grise, DiMatteo (seated for Neville) and Doyle (seated for Sadinsky)

Opposed- 0

Petition unanimously approved.

#10-16 **24 Riggs Avenue** - Petition of K. Burns & J. Beck, requesting a variance to Section 177-37 (C) to increase the non-conformity of the structure; maximum story height is 2.5 stories; building is 3 stories. Proposing to modify roof structure to ensure attic staircase meets fire & building codes and to expand attic area per plans on file. **R-10 Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Grise made a motion to grant the petition; second by Commissioner DiMatteo. In reaching its decision, the Board found the following conditions to exist:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.
2. Variance request is minor and will not adversely impact neighboring properties.
3. Because the home is already legal non-conforming as three-stories with no dormers, a variance is necessary to establish building code compliance for stairwell height to use the attic space through the installation of the proposed dormer.

VOTE: 4-0; Voting in favor were Commissioners: Foley, Grise, DiMatteo (seated for Neville) and Doyle (seated for Sadinsky)

Opposed- 0

Petition unanimously approved.

#11-16 **22-24 Maplewood Avenue** – Petition of F. Fallon requesting a variance to maximum rear yard coverage of 25%.; Section 177-20 (E) Obstruction in Yards. Removing existing detached garage and constructing 26’x22’ detached garage in rear yard resulting in +/- 42% rear yard coverage per plan. **RM-3R Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner DiMatteo made a motion to grant the petition; second by Commissioner Doyle. Commissioner Foley made a motion to amend the motion such that the space where the existing garage now sits is restored to lawn once the garage is removed in order to eliminate additional impervious surface; second by Commissioner Doyle. In reaching its decision on the original motion as amended, the Board found the following conditions to exist:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.
2. Variance request is minor and will not adversely impact neighboring properties.
3. The area of the rear yard setback is small due to the narrowness of the lot which means that the 25 percent coverage threshold required by ordinance allows for only a one-car garage which is inadequate for a two-family home.

VOTE: 4-0; Voting in favor were Commissioners: Foley, Grise, DiMatteo (seated for Neville) and Doyle (seated for Sadinsky)

Opposed- 0

Petition unanimously approved.

- Minutes of the regular meeting held Wednesday, March 16, 2016. Postpone
- Adjournment. Motion to adjourn. (Motion/DiMatteo; Second/Grise) unanimously approved 4-0.